

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall Yorktown, Virginia, on the ____ day of ____, 2000:

Present

Vote

Walter C. Zaremba, Chair
James S. Burgett, Vice Chair
Sheila S. Noll
Donald E. Wiggins
Melanie L. Rapp

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO APPROVE APPLICATION NO. UP-557-00, FOR A MINOR AMENDMENT TO A SPECIAL USE PERMIT TO AUTHORIZE AN INCREASE IN HEIGHT OF A SELF-SUPPORTING MONOPOLE COMMUNICATIONS TOWER, WITH ASSOCIATED EQUIPMENT, AT YORKTOWN MIDDLE SCHOOL, FROM A HEIGHT OF 150 FEET TO 165 FEET

WHEREAS, PrimeCo Personal Communications has submitted Application No. UP-557-00 that requests an amendment to Use Permit No. UP-532-98, pursuant to Section 24.1-115(d)(2) of the York County Zoning Ordinance to authorize an increase in height of a freestanding monopole communications tower with associated equipment from a height of 150-feet to 165 feet in total height on the parcel located at 11201 George Washington Memorial Highway (Yorktown Middle School) and further identified as Assessor's Parcel No.18-23A; and

WHEREAS, the Board has carefully considered the recommendations of the staff with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this ____ day of ____, 2000, that Application No. UP-532-98 is amended, and it is hereby, approved to authorize construction and maintenance of a 165-foot freestanding monopole communications tower with associated equipment at

11201 George Washington Memorial Highway (Yorktown Middle School), subject to the following amended conditions as restated:

1. This use permit shall authorize the construction and maintenance of a freestanding monopole communications tower with associated equipment, which shall not exceed 165 feet in height.
2. A site plan prepared in accordance with Article V of the York County Zoning Ordinance shall be submitted to and approved by the County prior to commencement of any construction activity on the subject property. Except as modified herein, said plan shall substantially adhere to the plan submitted by the applicant dated February 23, 2000, and prepared by FWT, Inc., a copy of which is located in the application files for this request maintained by the York County Department of Environmental and Development Services. As part of the site plan submittal, the applicant shall prepare a frequency intermodulation study to determine the impact on current communication transmission for the York County Departments of Fire and Life Safety and General Services, Sheriff's Office, School Division, and the Intrac Sewer Telemetry System. Should any equipment associated with this facility at any time during the operation of the tower be found by the County to cause interference with County communications, the applicant shall be responsible for the elimination of said interference within twenty-four (24) hours of receipt of notice from the County.
3. Prior to site plan approval, the applicant shall submit written statements from the Federal Aviation Administration, Federal Communications Commission, and any other review authority with jurisdiction over the tower, stating that the proposed tower complies with regulations administered by that agency or that the tower is exempt from those regulations. No building permit for the tower authorized by this special use permit shall be issued until the applicant provides evidence that the Federal Aviation Administration (FAA) has granted a permit for said tower.
4. A report from a registered structural or civil engineer shall be submitted indicating tower height and design, structure installation, and total anticipated capacity of the structure (including number and types of users that the structure can accommodate). These data shall satisfactorily demonstrate that the proposed tower conforms to all structural requirements of the Uniform Statewide Building Code and shall set out whether the tower will meet the structural requirement of EIA-222E, "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures."
5. Advertising or signage on the tower shall be expressly prohibited, except for warning signs associated with the operation of the tower or its equipment.

6. As part of the site plan submittal, a landscape plan shall be included which is consistent with Section 24.1-242 of the Zoning Ordinance. The base of the tower, including related equipment, shall be screened from view utilizing existing landscape, evergreen planting material, or material deemed acceptable to the County
7. The equipment building and associated equipment shall be completely enclosed by a security fence to the satisfaction of the County. The security fence shall be designed to prevent recreational equipment, (i.e., baseballs, soccer balls, etc.) from entering into the compound.
8. The applicant shall comply with all performance standards specified in Sections 24.1-493 and 24.1-494 of the Zoning Ordinance
9. The communication tower shall have a galvanized finish that is gray in color. No lighting or multi-color painting shall be authorized without approval of the York County Board of Supervisors by resolution.
10. No microwave dishes, conical shaped antennae, or other dish exceeding the height limitation established in the Resource Conservation district shall be permitted on the tower without approval of the York County Board of Supervisors by resolution. Photo simulations of the visual impacts of such antennae shall be provided to the Board prior to its decision.
11. The maintenance access road used to support the tower shall be constructed to the satisfaction of York County.
12. The communications tower shall be structurally designed and constructed to accommodate no fewer than three (3) wireless users capable of supporting either PCS or cellular antenna arrays. The applicant shall reserve at least one (1) space on the tower for two (2) antennae for use by the County. Both the reservation for the County and the use by the County shall be at no cost to the County for as long as the County uses the tower. Should FAA requirements preclude a 165-foot height request, the tower shall be permitted at such lower height approved by the FAA.
13. If at any time the communications tower shall cease its operation, the property owner shall dismantle and remove the tower within six (6) months from the date the tower ceases to operate, unless the owner shall present evidence satisfactory to the Zoning Administrator that a binding lease with another wireless user has been executed or will be within a reasonable period of time.